Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

01.09.2016

M.A 336/2016 in O.A No 887/2016

Shri M.B Deshmukh ... Applicant
Vs.
The State of Maharashtra & Ors... Respondents

1. Heard Shri A.A Desai, learned advocate for the applicant and Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents.

2. Learned Advocate Shri Desai sought interim relief for staying the communication dated 16.8.2016, Exh-E, at page 22 of the Paper Book of the O.A.

3. Learned P.O sought time to seek instructions. Time granted. Learned P.O is directed to produce the file where the original selection and appointment of the Applicant was made, before this Tribunal on the next date.

4. Issue notice before admission made returnable on 6.9.2016.

5. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.

6. Applicant is authorized and directed to serve on Respondent intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondent is put to notice that the case would be taken up for final disposal at the stage of admission hearing.

7. This intimation / notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

8. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

9. S.O 6.9.2016. Learned C.P.O waives service of notice

(Rajiv Agarwal)
Vice-Chairman

Akn

DATE: 1/9/16
CORAM:
Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)
~~Hon'ble Shri R. B. MALIK (Member)~~
APPEARANCE:
~~Shri/Smt~~ : A.A Desai
Advocate for the Applicant
~~Shri/Smt~~ : K.S. Gaikwad
~~C.P.O / P.O.~~ for the Respondents
~~Adj. To~~ S.O. to 6/9/16.

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

ORIGINAL APPLICATION NO.859 OF 2016

J.L. Itewad .... **Applicant.**

Versus

The State of Maharashtra & Ors. ....**Respondents.**

Smt. Punam Mahajan, the learned Advocate for the Applicant.

Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 01.09.2016.

O R D E R

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Issue notice returnable on 21.10.2016.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. Respondent No.2, Principal Secretary (Co-operation and Marketing), Co-operation. Marketing and Textile Department, Mantralaya is directed as follows :-

(a) Call for the papers of this O.A. for perusal.

(b) Call for the case papers which have led to conducting the raid on the Applicant and passing the order of suspension.

(c) Take information as regards the stage of investigation of possibility of filing the charge-sheet etc.

(d) Thereafter take a decision as to whether to continue or revoke the suspension and pass appropriate orders and thereafter communicate the decision as may be reached, it to the Applicant and to the learned P.O..

8. It shall not be necessary to file any affidavit-in-reply in this O.A., if compliance of directions contained in paragraph No.7 is done.

9. In the event the O.A. is to be contested, in that event only affidavit opposing O.A. be filed by answering each and every paragraph, point and averment.

10. Learned Advocate Smt. Punam Mahajan for the Applicant states that if at all affidavit-in-reply is to be filed, it shall suffice, if Respondent No.2 answers paragraph Nos.6.13 to 6.13.5, which is at page nos.5 to 7 of the paper book of O.A..

11. Steno copy and Hamdast is allowed to learned P.O.. Learned P.O. is directed to communicate this order to the Respondents.

12. S.O. to 21.10.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

prk

THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL, MUMBAI

C.A.NO.136 OF 2014 IN
ORIGINAL APPLICATION NO.275 OF 2010

Dr. B.B. Birajidar & Ors. .... **Applicants.**

Versus

The State of Maharashtra & Ors. ....**Respondents.**

Smt. Punam Mahajan, the learned Advocate for the Applicants.

Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

CORAM : JUSTICE SHRI A.H. JOSHI, CHAIRMAN

DATE : 01.09.2016.

O R D E R

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned P.O. Smt. K.S. Gaikwad for the Respondents on instructions from Shri Umesh Rathod, Desk Officer, Public Health Department, Mantralaya states as follows :-

(a) Order is complied with in the sense that the orders for absorption of the Applicants, as required, furtherance to the orders passed in O.A. are issued.

(b) Benefits which would accrue based on the said absorption shall be extended.

3. With the said compliance the order stands fully complied with.

4. It is seen that this Tribunal had granted the declaration in paragraph 8 of the order passed in O.A.No.275 of 2010 and granted relief in paragraph 9 in terms of prayer clause 15(a) of the O.A..

5. The said prayer i.e. contained in paragraph 15(a) contemplates consideration of Applicants' case in the background of declaration granted by this Tribunal.

6. Therefore, it shall be appropriate for the Contemnor to file affidavit stating as to whether the order passed by this Tribunal is implemented in its letter and spirit and if no compliance remains to be done.

7. Affidavit be filed by Contemnor and by no other subordinate officer.

8. Learned P.O. Smt. K.S. Gaikwad for the Respondents states that minimum four weeks time may be granted for filing affidavit.

9. Time as prayed for is granted.

10. Steno copy and Hamdast is allowed to learned P.O.. Learned P.O. is directed to communicate this order to the Respondents.

11. S.O. to 18.10.2016.

Sd/-
(A.H. Joshi, J.)
Chairman

prk

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

O.A. No.890 of 2016

Shri S.D. Deshmukh ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents.

2. Issue notice returnable on 24.10.2016.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-
(A.H. Joshi, J.)
Chairman
1.9.2016

(sgj)

DATE : 01/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramakrishnan (Member) A~~
APPEARANCE :
Shri/Smt. : M. D. Lonkar
Advocate for the Applicant
Shri /Smt. : A. J. Chougule
C.P.O / P.O. for the Respondent/s
Adj. To 24/10/2016

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. ... of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.434 of 2015
DATE : 01/9/2016 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Ramachandran (Member) A~~ APPEARANCE : ~~Shri~~/Smt. : Punam Mahajan Advocate for the Applicant ~~Shri~~/Smt. : M.S. Neelima Gohad C.P.O / P.O. for the Respondent/s Adj. To 20/10/2016	Smt. A.P. Khare ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents. 2. By consent adjourned to 20.10.2016. Sd/- (A.H. Joshi, J.) Chairman 1.9.2016 (sgj)

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 District

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 01.09.2016.

O.A.No.577 of 2016

Smt. J.S. Markale **...Applicant**

Vs.

The State of Mah. & Ors. **...Respondents**

1. Heard Shri C.T. Chandratre, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. None for the Respondent No.3.

2. Learned P.O. for the Respondents prays for time for filing reply.

3. S.O. to 26.9.2016.

(A.H. Joshi, J.)
Chairman

sba

DATE : 1/9/16
Coram :
Hon'ble Shri A.H. Joshi (Chairman)
~~Hon'ble Shri Rameshkumar (Member) A~~
Applicant's PCO :
Shri C.T. Chandratre
Advocate for the Applicant
Shri K.B. Bhise
C.P.O / P.O. for the Respondent/s

Adj. To 26/9/16.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 1/9/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Ramakrishnan (Member)-A~~ APPEARANCE : Shri/Smt. : L.S. Deshmukh Advocate for the Applicant Shri/Smt. : K.S. Gaikwad C.P.O / P.O. for the Respondent/s Adj. To 24/10/16.	**Date : 01.09.2016.** **O.A.No.777 of 2016** **Shri G.B. Gawale** **...Applicant** **Vs.** **The State of Mah. & Ors.** **...Respondents** 1. Heard Shri L.S. Deshmukh, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant Shri L.S. Deshmukh has tendered apology for failing to collect the notice of the Tribunal. 3. Let the notice be served fresh. 4. S.O. to 24.10.2016. (A.H. Joshi, J.) Chairman sba

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. ..... of 20 DISTRICT .....

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

O.A. No.863 of 2016

Smt. M.S. Divekar ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. Shri Bandiwadekar, Ld. Advocate prays for two weeks time to place on record copy of appeal memo filed by him wherein he had challenged the order passed by Collector refusing to treat the suspension period as duty period.

3. S.O. to 6.10.2016.

Sd/-

(A.H. Joshi, J)
Chairman
1.9.2016

(sgj)

DATE : 01/9/2016

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)

Hon'ble Shri M. Ramesh Kumar (Member) A

APPEARANCE :

Shri/Smt. : A. V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. : K. B. Bhise

C.P.O. for the Respondent/s

Adj. To : 6/10/2016

PTO

(G.C.P.) J 2260 (A) (50,000—2-2015) (Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 District

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.791 of 2016

Smt. S.N. Atre ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Smt. Archana B.K., learned Presenting Officer for Respondents No.1 to 3.

2. Advocate for the Applicant is absent.

3. Ld. PO files reply. It is taken on record.

4. Shri C.T. Chandratre, Ld. Advocate undertakes to file Vakalatnama on behalf of respondent no.4.

5. S.O. to 7.11.2016.

Sd/-

(A.H. Joshi, J.)
Chairman
1.9.2016

(sgj)

DATE : 01/9/2016

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)

~~Hon'ble Shri M. Ramesh kumar (Member) A~~

APPEARANCE :

~~Shri~~/Smt. : None for the Applicant

Advocate for the Applicant

Shri /Smt. : Archana B.K

~~C.P.O~~/P.O. for the Respondent/s

Adj. To 7/11/2016

(A)

PTO.

Office Notes, Office Memoranda of Corum, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

O.A. No.876 of 2016

Shri A.B. Gaikwad ..Applicant
Vs.
The State of Maharashtra & Ors. ..Respondents

Heard Shri V.P. Potbhare, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. Issue notice returnable on 21.10.2016.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal need not be issued.

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by hand delivery/ speed post/courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file affidavit of compliance and notice.

Sd/-
(A.H. Joshi, J.)
Chairman
1.9.2016

(sgj)

DATE : 01/9/2016
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramakrishnan~~ (Member) A
APPEARANCE :
Shri/Smt. V.P. Potbhare
Advocate for the Applicant
Shri/Smt. Archana B.K.
C.P.O / A.G.P. for the Respondent/s
Adj. To 21/10/2016
(PJ)

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.218 of 2015
DATE : 01/9/2016 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. [illegible] (Member) A APPEARANCE : Shri/Smt. : A. V. Bandiwadekar Advocate for the Applicant Shri/Smt. : K. B. Bhise C.P.O / P.O. for the Respondent/s Adj. To 19/10/2016 PJ	Shri C.G. Gaikwad ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents. 2. Ld. PO tenders reply. It is taken on record. 3. Shri Bandiwadekar, Ld. Advocate prays for time to consider the reply and address on the next date. 4. S.O. to 19.10.2016. (A.H. Joshi, J) Chairman 1.9.2016 (sgj)

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 District

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.828 of 2016

Shri A.G. Bhambure ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Smt. Punam Mahajan, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents.

2. Smt. Mahajan, Ld. Advocate has tendered pursis signed by the applicant stating that he is not interested in pursuing the OA and wants to withdraw the same.

3. Hence, OA is allowed to be withdrawn and disposed off as such.

(A.H. Joshi, J)
Chairman
1.9.2016

(sgj)

DATE : 01/9/2016

CORAM :

Hon'ble Justice A. H. Joshi (Chairman)

~~Hon'ble Shri ... (Member) A~~

APPEARANCE :

~~Shri/Smt.~~ : Punam Mahajan

Advocate for the Applicant

Shri/~~Smt.~~ : K. B. Bhise

~~C.P.O~~ / P.O. for the Respondent/s

Adj. To..... OA. is allowed to be withdrawn and disposed off as such.

(R)

PTO

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 01.09.2016.

O.A.No.650 of 2016

Shri D.R. Madane **...Applicant**

Vs.

The State of Mah. & Ors. **...Respondents**

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents prays for two weeks time for filing reply.

3. Time as prayed for is granted.

4. S.O. to 6.10.2016.

sd/-
(A.H. Joshi, J)
Chairman

sba

DATE : 1/9/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri M. Ramakrishnan (Member) A
APPEARANCE :
Shri/Smt. : K.R. Jagdale
Advocate for the Applicant
Shri/Smt. : Archana B.K.
C.P.O. / P.O. for the Respondent/s

Adj. To 6/10/16.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.342 of 2016

Shri P.L. Hotkar ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Miss N.G. Gohad, learned Presenting Officer for the Respondents.

2. It is seen that reply is not filed by respondents no.3 and 4.

3. The respondents are put to notice that if they fail to file reply on or before next date, the case would be proceeded/heard and decided exparte against them.

4. S.O. to 7.11.2016.

5. Steno copy and hamdast is allowed. Ld. PO is directed to communicate this order to the respondents.

Sd/-

(A.H. Joshi, J)
Chairman
1.9.2016

(sgj)

DATE : 1/9/16

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)

~~Hon'ble Shri M. Ramesh Kumar (Member)~~ A

APPEARANCE :

Shri/Smt. : A.V. Bandiwadekar

Advocate for the Applicant

Shri/Smt. : N.G. Gohad

C.P.O / P.O. for the Respondent/s

Adj. To 7/11/16. Steno copy & Hamdast is allowed to Ld.P.O.

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.558 of 2016
DATE : 1/9/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri I.J. Rameshkumar (Member) A~~ APPEARANCE : Shri/Smt. : A.V. Bandiwadekar Advocate for the Applicant Shri/Smt. : N.G. Gohad C.P.O / P.O. for the Respondent/s Adj. To 29/9/16 B.T.	Shri A.V. Todkar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Miss N.G. Gohad, learned Presenting Officer for the Respondents. 2. Shri Bandiwadekar, Ld. Advocate prays for leave to amend for amplifying the averments in para 6.13 of the OA and add annexures and furnish fresh synopsis. 3. Leave for amendment, addition of annexures and for substitution of index and synopsis is granted. 4. Amendment to be carried out within three weeks. 5. S.O. to 29.9.2016. Sd/- (A.H. Joshi, J.) Chairman 1.9.2016 (sgj)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 01.09.2016.

O.A.No.705 of 2016

Shri M.B. Sonawane ...Applicant

Vs.

The State of Mah. & Ors. ...Respondents

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned Advocate for the Applicant is directed to serve fresh notice on the Respondents and he undertakes to serve.

3. Learned P.O. for the Respondents states after taking instructions from the Respondents that time may be granted.

4. Time can be granted, however certain actions on the part of the Respondent are required, which are as follows:-

(a) Respondents should examine Applicant's claim contained in O.A.

(b) If there is no legal impediment in considering and deciding Applicant's claim it be decided without loss of time.

(c) The relief to which the Applicant is entitled and found eligible, be given to him.

5. If the O.A. does not warrant contest, it shall not be necessary to file affidavit in reply.

6. Steno copy and Hamdast is allowed. Learned P.O. is directed to communicate this order to the Respondents.

7. S.O. to 3.10.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

sba

DATE : 1/9/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramakrishnan (Member) A~~
APPEARANCE :
Shri/Smt. : A.V. Bandiwadekar
Advocate for the Applicant
Shri/Smt. : K.B. Bhise
C.P.O / P.O. for the Respondent/s

Adj. To... 3/10/16.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 01.09.2016.

O.A.No.581 of 2016

Shri P.S. Bodake ...Applicant

Vs.

The State of Mah. & Ors. ...Respondents

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. The Commissioner, Food and Drugs Administration is directed as follows:-

(a) Call for the papers of the case, and read the O.A. himself.

(b) Call for the all concerned case papers, and read those himself.

(c) Ascertain the demand contained in O.A. and the day from which the Applicant claims that he was eligible to get Time Bound Promotion upon the completion of 12 years service.

(d) Ascertain from the record as to whether the Applicant was entitled to get time bound promotion.

3. If he finds that Applicant was entitled to Time Bound Promotion, and was wrongly denied, though Applicant was eligible, the Commissioner shall pass appropriate orders and take steps to disburse the benefits.

4. After completing study, if Commissioner finds that Applicant is not entitled for the benefit claimed by him, file affidavit stating the reasons for non granting the said benefit to the Applicant, and foundation thereof in law.

5. If it is found at the hearing that the Applicant's claim was denied due to flimsy &/ or untenable reasons and untenable contention is raised, exemplary cost would imposed.

6. Steno copy and Hamdast is allowed to learned P.O. to communicate this order to the Respondents.

7. S.O. to 17.10.2016.

Sd/-

(A.H. Joshi, J)
Chairman

DATE : 1/9/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramesh kumar (Member)~~ A

APPEARANCE :
Shri/Smt. : A.V. Bandiwadekar
Advocate for the Applicant
Shri/Smt. : K.S. Gaikwad
C.P.O / P.O. for the Respondent/s

Adj. To 17/10/16. Steno copy & Hamdast is allowed to Ld. P.O.

sba

(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 01.09.2016.

O.A.No.799 of 2016

Smt. S.D. Tambe **...Applicant**

Vs.

The State of Mah. & Ors. **...Respondents**

1. None for the Applicant. Heard Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents Shri K.B. Bhise has tendered affidavit-in-reply. It is taken on record.

3. Adjourned to 26.10.2016.

Sd/-
(A.H. Joshi,
Chairman

sba

DATE : 1/9/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramakrishnan (Member)~~ A

APPEARANCE :
Shri/Smt. : none for the appl.
Advocate for the Applicant
Shri/Smt. : Archana B.K.
C.P.O. / P.O. for the Respondent/s

Adj. To 26/10/16.

[P.T.O.

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No. of 20

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 01.09.2016.

O.A.No.336 of 2016

Shri B.R. Rangari ...Applicant

Vs.

The State of Mah. & Ors. ...Respondents

1. Heard Shri A.V. Bandiwadekar, the lewarned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned P.O. for the Respondents states that affidavit in reply will be filed during the course of the day.

3. Learned Advocate for the Applicant makes a grievance that the amount of gratuity is not paid yet.

4. Learned P.O. for the Respondents is directed to verify as to when the amount of gratuity would be paid and make a statement on the next date.

5. Steno copy and Hamdast is allowed to learned P.O. to communicate this order to the Respondents.

6. S.O. to 8.09.2016.

Sd/-
(A.H. Joshi, J)
Chairman

sba

DATE : 1/9/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri A. Ramakrishnan (Member) A~~
APPEARANCE :
Shri A.V. Bandiwadekar
Advocate for the Applicant
Shri Smt. K.S. Gaikwad
C.P.O / P.O. for the Respondent/s

Adj. To 8/9/16.

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No. of 20

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 01.09.2016. O.A.No.230 of 2016 Shri G.R. Khopkar ...Applicant Vs. The State of Mah. & Ors. ...Respondents 1. None for the Applicant. Heard Ms. N.G. Gohad, the learned Presenting Officer for the Respondents. 2. Adjourned to 7.9.2016. (A.H. Joshi, J.) Chairman sba

DATE : 1/9/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramesukumar (Member) A~~
APPEARANCE :
Shri/Smt. : None for the applt.
Advocate for the Applicant
Shri/Smt. : N.G. Gohad
C.P.O / P.O. for the Respondent/s

Adj. To 7/9/16.
BK

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 01.09.2016. **O.A.No.692 of 2016** **Smt. P.B. Kore ...Applicant** **Vs.** **The State of Mah. & Ors. ...Respondents** 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2. Learned Advocate for the Applicant prays for leave to amend in view of the fact that certain facts have surfaced in reply and averments in O.A. are required. 4. Learned Advocate for the Applicant undertaks to carry out amendment within one week, if leave is granted. 5. Leave to amend is granted. 6. Amendment be carried out within one week. 7. S.O. to 8.09.2016. Sd/- (A.H. Joshi, J.) Chairman sba

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
1/9/16 (Vice-Chairman) Punam Mahajan N.G. Gohad OA is disposed of. [illegible]	**Date : 01.09.2016.** **O.A.No.860 of 2016** **P.J. Patil .... Applicant.** **Versus** **The State of Maharashtra & Ors. ....Respondents.** 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Ms. N.G. Gohad, the learned Presenting Officer for the Respondents. 2. Learned Advocate Smt. Punam Mahajan for the Applicant states as follows :- Applicant's suspension order has been revoked by order dated 29.08.2016. 3. In view of the foregoing O.A. has become infructuous and is disposed of. Sd/- **(A.H. Joshi, J.)** **Chairman** prk

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 01.09.2016.

O.A.No.138 of 2016

A.L. Pansare **.... Applicant.**

Versus

The State of Maharashtra & Ors. **....Respondents.**

1. Heard Shri R.M. Kolge, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents.

2. Learned P.O. Smt. K.S. Gaikwad for the Respondents has tendered the affidavit on behalf of Respondent No.4. It is taken on record.

3. Learned Advocate Shri R.M. Kolge for the Applicant prays for time to consider the reply and file rejoinder, if any.

4. Time as prayed for is granted.

5. Adjourned to 26.10.2016.

(A.H. Joshi, J)
Chairman

prk

1

DATE : 1/9/16
CORAM :
(Chairman)
(Member) A
R.M. Kolge
Adv. / Smt. K.S. Gaikwad
C.P.O / P.O. for the Respondent/s
Adj. To 26/10/16.

(G.C.P.) J 2260 (A) (50,000—2-2015)

(Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.185 of 2016
DATE : 1/9/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri Rajeev Agarwal (Member) A~~ A.V. Bandiwadekar Shri/Smt. for the Applicant Shri/Smt. : Archana B.K. C.P.O / P.O. for the Respondent/s Admit. Adj. To. To come up for final hearing in due course.	Shri M.P. Sonawane ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Admit. To come up for final hearing in due course. Sd/- (A.H. Joshi, J.) Chairman 1.9.2016 (sgj)

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate.....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 01.09.2016.

O.A.No.894 of 2016

M.A. Desai .... Applicant.

Versus

The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned Advocate Shri A.V. Bandiwadekar for the Applicant prays for opportunity to re-inspect the papers and ask for the photo-copies of those documents.

3. In view of the foregoing adjourned to 06.09.2016.

Sd/-

(A.H. Joshi, J)
Chairman

prk

DATE : 1/9/16
CORAM :
Hon'ble Shri A. H. Joshi (Chairman)
~~Hon'ble Shri (Member) A~~

A.V. Bandiwadekar

K.B. Bhise
Respondent/s

A.H. To 6/9/16.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 01.09.2016.

O.A.No.894 of 2016

M.A. Desai .... Applicant.

Versus

The State of Maharashtra & Ors. ....Respondents.

1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents.

2. Learned Advocate Shri A.V. Bandiwadekar for the Applicant prays for opportunity to re-inspect the papers and ask for the photo-copies of those documents.

3. In view of the foregoing adjourned to 06.09.2016.

Sd/-

(A.H. Joshi, J)
Chairman

prk

DATE : 1/9/16
CORAM :
Hon'ble Shri A. H. Joshi (Chairman)
Hon'ble Shri [illegible] (Member) A

A.V. Bandiwadekar

K.B. Bhise
Respondent/s

A.H. To 6/9/16.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 01.09.2016.

O.A.No.697 of 2016

B.D. Palange .... **Applicant.**

Versus

The State of Maharashtra & Ors. ....**Respondents.**

1. Heard Shri C.T. Chandratre, the learned Advocate holding for Shri M.R. Kulkarni, the learned Advocate for the Applicant and Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents.

2. Office report shows that notice of this Tribunal is not taken and served on the Respondents.

3. Learned Advocate Shri C.T. Chandratre states that in view of following the subsequent developments :-

(a) Respondent has communicated to the Applicant the refusal to grant sanctioned leave.

(b) Applicant has now decided challenge the same by withdrawing the present O.A. and filing independent O.A..

4. In view of fresh cause of action that has accrued, this O.A. is allowed to be withdrawn, with liberty to file afresh.

(A.H. Joshi, J.)
Chairman

prk

DATE : 1/9/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Member (Member)~~ A

C. T. Chandratre
Applicant
S. Suryawanshi
C.P.O / P.O. for the Respondent/s

~~Adj. To~~ OA is allowed to be withdrawn.

(G.C.P.) J 2260(B) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

M.A./R.A./C.A. No. of 20

I N

Original Application No. of 20

FARAD CONTINUATION SHEET NO.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE: 1/9/16 CORAM: Hon'ble [illegible] (Chairman) Hon'ble [illegible] (Member) A APPEARANCE: Shri/Smt. Punam Mahajan Advocate for the Applicant Shri/Smt. K.S. Gaikwad C.P.O / P.O. for the Respondent/s Adj. To 6/9/16.	**Date : 01.09.2016.** **O.A.No.801 of 2016** **Shri T.N. Munde** ...Applicant **Vs.** **The State of Mah. & Ors.** ...Respondents 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. Due to paucity of time, adjourned to 6.9.2016 at the bottom of the board. Sd/- (A.H. Joshi, J.) Chairman sba

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

O.A. No.761 of 2016

Shri A.V. Warghade ..Applicant

Vs.

The State of Maharashtra & Ors. ..Respondents

Heard Shri Uday Bhosale, learned Advocate for the Applicant and Smt. Archana B.K., learned Presenting Officer for the Respondents.

2. In response to the query posed by this Tribunal to the Charity Commissioner in the order passed on 30.8.2016, today the Ld. PO has tendered a pursis dated 31.8.2016 signed by the Charity Commissioner, Mumbai stating that the applicant's request for posting of his choice can be considered at the time of annual general transfer to be effected in 2017.

3. Applicant's urge is that in near future vacancy is likely to occur and applicant's request may be considered at that time even before the general transfers.

4. The assurance of the Charity Commissioner that applicant's request would be considered during general transfer constitutes adequate assurance. Administration cannot be clamped with a direction to consider a request at a particular time and in a particular manner. The administrative needs and compulsions always have dominant role. Moreover, fairness in administration and exercise of direction is always to be believed to function and exist.

5. Hence, it shall suffice to dispose off the OA with the above observations.

Sd/-

(A.H. Joshi, J.)
Chairman
1.9.2016

(sgj)

DATE : 1/9/16

CORAM :

Hon'ble Justice Shri A. H. Joshi (Chairman)

~~Hon'ble Shri M. Ramakumar (Member) A~~

APPEARANCE :

Shri/Smt. : Uday Bhosale

Advocate for the Applicant

~~Shri~~/Smt. : Archana B.K.

C.P.O / P.O. for the Respondent/s

~~Adj. To~~..... OA is disposed of

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 01.09.2016.

O.A.No.688 of 2016

Shri R.J. Ingawale ...Applicant

Vs.

The State of Mah. & Ors. ...Respondents

1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicant and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents 1 & 2 and Shri M.D. Lonkar, the learned Advocate for the Respondent No.3.

2. Learned P.O. for the Respondents has tendered affidavit affirmed by Dr. Jay V. Jadhav, Superintendent of Police, Pune [Rural]. It is taken on record.

3. In the midst of hearing it has transpired that, prima-facie the text of para 9 of the affidavit which is filed today, does not reveal eloquent defence of ~~justifying~~ on facts and law to justify the Transfer.

4. Learned P.O. for the Respondents prays for time for enabling her to apprise and communicate to Superintendent of Police, Pune [Rural], the observations noted in the foregoing paragraph.

5. S.O. to 8.09.2016.

Sd/-

(A.H. Joshi, J.)
Chairman

DATE : 1/9/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri A. Ramakrishnan (Member)~~ A
APPEARANCE :
Shri/Smt. : Punam Mahajan
Advocate for the Applicant
Shri/Smt. : K.S Gaikwad
C.P.O / P.O. for the Respondent/s

Adj. To.....8/9/16.....

sba

[P.T.O.

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.440 of 2016
DATE : 01/9/2016 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri ... (Member)~~ A APPLICANT : Shri/Smt. M.D. Lonkar Advocate for the Applicant ~~Shri/Smt.~~ Ms. Neelima Gohad ~~C.P.O.~~ P.O. for the Respondent/s Adj. To 7/9/2016	Shri P.U. Rathod ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri M.D. Lonkar, learned Advocate for the Applicant and Miss Neelima Gohad, learned Presenting Officer for the Respondents. 2. Ld. PO wants to ascertain the progress, if any, done by the respondents and prays for time till 7.9.2016. 3. S.O. to 7.9.2016. (A.H. Joshi, J.) Chairman 1.9.2016 (sgj)

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl. MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 District

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.166 of 2016
DATE : 1/9/2016 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri P. Balasubramanian (Member) A~~ APPEARANCE : Shri/Smt. : A.V. Bandiwadekar Advocate for the Applicant Shri/Smt. : A.J. Chougule C.P.O. / P.O. for the Respondent/s Adj. to : Admit (R)	Shri A.S. Garware ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. Admit. To come up for final hearing in due course. Sd/- (A.H. Joshi, J.) Chairman 1.9.2016 (sgj)

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. ..... of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders M.A. No.74 of 2016 in O.A. No.166 of 2016
DATE : 01/9/2016 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) Hon'ble Shri M. Rameshkumar (Member) A APPEARANCE : Shri/Smt. : A.V. Bandiwadekar Advocate for the Applicant Shri/Smt. : A.J. Chougule C.P.O / P.O. for the Respondent/s Adj. To M.A. is allowed.	Shri A.S. Garware ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri A.J. Chougule, learned Presenting Officer for the Respondents. 2. This MA is for condonation of delay. 3. The OA is delayed by 2 years and 1 month. Cause of action which the applicant wants to pursue is of continuous in nature and the delay caused is insignificant. 4. Hence, MA is allowed and the delay is condoned. (A.H. Joshi, J.) Chairman 1.9.2016 (sgj)

(G.C.P.) J 2260 (A) (50,000—2-2015) [Spl - MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.647 of 2016
DATE : 01/9/2016 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri U. Rameshkumar~~ (Member) A APPEARANCE : Shri/Smt. : A. V. Bandiwadekar Advocate for the Applicant Shri/Smt. : Archana B. K. C.P.O / P.O. for the Respondent/s Adj. To.....Admit (Pg)	Shri K.W. Haral ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Smt. Archana B.K.. learned Presenting Officer for the Respondents. 2. Admit. To come up for final hearing in due course. Sd/- (A.H. Joshi, J.) Chairman 1.9.2016 (sgj)

(G.C.P.) J 2260 (A) (50,000—2-2015)

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 District

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.693 of 2016
DATE : 01/9/2016 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Ramesh Kumar~~ (Member) A APPEARANCE : ~~Shri~~ Smt. : None for the Applicant Advocate for the Applicant ~~Shri~~ /Smt. : Archana B. K. ~~C.P.O~~ / P.O. for the Respondent/s Adj. To 7/11/2016 RJ	Smt. P.A. Kudanar ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Smt. Archana B.K., learned Presenting Officer for the Respondents. 2. Advocate for the applicant is absent. 4. S.O. to 7.11.2016. (A.H. Joshi, J) Chairman 1.9.2016 (sgj)

[P.T.O.

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

Date : 01.09.2016.

O.A.No.866 of 2016

Dr. R.M. Haridas .... **Applicant.**

Versus

The State of Maharashtra & Ors. ....**Respondents.**

1. Heard Shri M.D. Lonkar, the learned Advocate for the Applicant, Ms. S. Suryawanshi, the learned Presenting Officer for the Respondents and Shri A.V. Bandiwadekar, the learned Advocate for the Respondent No.3.

2. Issue notice returnable on 24.10.2016.

3. Tribunal may take the case for final disposal at this stage and separate notice for final disposal shall not be issued.

4. Applicant is authorized and directed to serve on Respondents intimation/notice of date of hearing duly authenticated by Registry, along with complete paper book of O.A.. Respondents are put to notice that the case would be taken up for final disposal at the stage of admission hearing.

5. This intimation/notice is ordered under Rule 11 of the Maharashtra Administrative Tribunal (Procedure) Rules, 1988, and the questions such as limitation and alternate remedy are kept open.

6. The service may be done by Hand delivery, speed post, courier and acknowledgement be obtained and produced along with affidavit of compliance in the Registry within one week. Applicant is directed to file Affidavit of compliance and notice.

7. Learned Advocate Shri A.V. Bandiwadekar for the Respondent No.3 waives service and acknowledges that he has received the copy.

8. S.O. to 24.10.2016.

(A.H. Joshi, J.)
Chairman

prk

DATE : 1/9/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
Hon'ble Shri ~~A. P. Kurhekar (Member) A~~
Applicant by : M.D. Lonkar
Advocate for the Applicant
Shri/Smt. : S. Suryawanshi
C.P.O / P.O. for the Respondent/s

Adj. To 24/10/16.

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
	Date : 01.09.2016. **O.A.No.325 of 2016** **G.P. Rekulwad .... Applicant.** **Versus** **The State of Maharashtra & Ors. ....Respondents.** 1. Heard Shri A.V. Bandiwadekar, the learned Advocate for the Applicant and Shri K.B. Bhise, the learned Presenting Officer for the Respondents. 2. Learned P.O. Shri K.B. Bhise for the Respondents prays for time for completing the action which is half way through and remaining steps would be completed after receiving options from the candidates. 3. For reporting as to whether the office of Director General of Police has communicated the call of option and out come if any, S.O. to 08.09.2016. 4. Steno copy and Hamdast is allowed to learned P.O.. Learned P.O. is directed to communicate this order to the Respondents. (A.H. Joshi, J) Chairman prk

DATE : 1/9/16
CORAM :
Hon'ble Justice Shri A. H. Joshi (Chairman)
~~Hon'ble Shri M. Ramesh Kumar (Member) A~~
APPEARANCE :
Advocate : A.V. Bandiwadekar
Advocate for the Applicant
Shri / Smt. : K.B. Bhise
C.P.O / P.O. for the Respondent/s

Adj. To.....8/9/16.....

[P.T.O.

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders O.A. No.781 of 2016
DATE : 1/9/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri M. Ramakrishnan (Member) A~~ APPEARANCE : Shri/Smt. : A.V. Bandiwadekar Advocate for the Applicant Shri /Smt. : K.B. Bhise C.P.O / P.O. for the Respondent/s Adj To.....7/9/16..... Bhise	Smt. M.R. Ghate ..Applicant Vs. The State of Maharashtra & Ors. ..Respondents Heard Shri A.V. Bandiwadekar, learned Advocate for the Applicant and Shri K.B. Bhise, learned Presenting Officer for the Respondents. 2. Ld. PO wants to verify whether the respondents have received notices/intimation and whether any communication is received in the office of CPO. 3. S.O. to 7.9.2016. Sd/- (A.H. Joshi, J.) Chairman 1.9.2016 (sgj)

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders
DATE : 1/9/16 CORAM : Hon'ble Justice Shri A. H. Joshi (Chairman) ~~Hon'ble Shri A. Tamilvanan (Member) A~~ AP[illegible]: Shri [illegible] Punam Mahajan Advocate for Applicant Shri [illegible] K.S. Gaikwad CPO for the Respondent/s Adj. To 6/9/16.	**Date : 01.09.2016.** **O.A.No.727 of 2016 with O.A.No.728 of 2016 with O.A.No.827 of 2016** **Shri K.R. Khairnar (O.A.No.727 of 2016)** **Shri K.D. Kabadi (O.A.No.728 of 2016)** **Shri V.S. Kokane (O.A.No.827 of 2016) ...Applicants** **Vs.** **The State of Mah. & Ors. ...Respondents** 1. Heard Smt. Punam Mahajan, the learned Advocate for the Applicants and Smt. K.S. Gaikwad, the learned Presenting Officer for the Respondents. 2. Learned P.O. for the Respondents prays for time on the ground that affidavit is drafted by the Respondents and is affirmed without consulting the office of P.O., and it requires to be examined. 3. Learned P.O. for the Respondents Smt. K.S. Gaikwad should make statement on the point that as to whether affidavit is to be filed, and if filed, matter can be deferred on that date. 4. S.O. to 6.9.2016. -Sd/- **(A.H. Joshi, J)** **Chairman**

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(G.C.P.) J 2260 (A) (50,000—2-2015)

[Spl.- MAT-F-2 E.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL MUMBAI

Original Application No. of 20 DISTRICT

..... Applicant/s

(Advocate .....)

versus

The State of Maharashtra and others

..... Respondent/s

(Presenting Officer.....)

Office Notes, Office Memoranda of Coram, Appearance, Tribunal's orders or directions and Registrar's orders	Tribunal's orders

01.09.2016

M.A 338/2016 in O.A No 158/2016

Shri A.B Patil ... Applicant

Vs.

The State of Maharashtra & Ors... Respondents

Heard V.A Mohite, learned advocate for the applicant, Smt Kranti S. Gaikwad, learned Presenting Officer for the Respondents no 1 & 2 and Shri C.T Chandratre, learned advocate for Respondent no. 3.

This Misc Application is filed for amending the Original Application as per Annexure-E and the Applicant also wants to place on record certain documents which are also mentioned in the said Annexure. There is no objection from the learned P.O as well as Learned Advocate Shri Chandratre.

Misc Application is accordingly allowed. Learned Advocate Shri Mohite states that he will amend the O.A within one week and serve the amended copy on the Respondents within further two weeks.

O.A to be placed on board on 29.9.2016.

Rajiv Agarwal
(Rajiv Agarwal)
Vice-Chairman

Akn

DATE: 1/9/16

CORAM:

Hon'ble Shri. RAJIV AGARWAL
(Vice - Chairman)

~~Hon'ble Shri R. B. MALIK (Member)~~

APPEARANCE:

~~Shri/Smt.~~ V.A. Mohite

Advocate for the Applicant

~~Shri/Smt.~~ K.S. Gaikwad

~~C.P.O./~~ P.O. for the Respondents No. 1&2.
C.T. Chandratre for R.No.3.

~~Advocate for~~ M.A. is Allowed.
O.A. Adj. to 29/9/16.

[P.T.O.

IN THE MAHARASHTRA ADMINISTRATIVE TRIBUNAL

MUMBAI

ORIGINAL APPLICATION NO.662 OF 2016

Shri D.L. Rane **..Applicant.**

Versus

The State of Maharashtra & Ors. **..Respondents**

Shri K.R. Jagdale – Advocate for the Applicant.

Smt. Archana B.K. – Presenting Officer for the Respondents.

CORAM : Shri Justice A.H. Joshi, Chairman

DATE : 1st September, 2016.

ORDER

1. Heard Shri K.R. Jagdale, the learned Advocate for the Applicant and Smt. Archana B.K., the learned Presenting Officer for the Respondents.

2. Ms. Pooja Dhok, Law Officer in the office of Commissioner of Police, Mumbai states as follows :-

(a) It is true that nobody appeared for the Commissioner of Police and other respondents on 18.8.2016 when the case was called out.

(b) In fact she was duly instructed to contact learned PO and she had arrived in the office of CPO and was actually giving instructions to the Ld. PO about present OA and had failed to attend the case at the time when it was called out.

(c) Failure to attend to the case and to remain present has occurred due to failure in her estimate about schedule.

3. The statement of the Law Officer is accepted and the order passed on 18.8.2016 is kept in abeyance, however the matter does not and cannot end there and some more and other clarification from the respondents is necessary.

4. Applicant's grievance pertained to failure of competent authority to take decision. It was liable to be taken by the respondent no.2 or by the respondent no.3 as the case be. Therefore, the concerned respondent ought to have taken initiative and decided the matter without losing time in directing the Law Officer to prepare to give instructions to defend the OA.

5. Whenever an OA is filed complaining inaction, action has to be the only defence. An attempt to defend inaction or lethargy, would constitute serious offence to good governance.

6. After receipt of notice of this Tribunal if the matter pertained to the power and authority of any other subordinate office, the respondent no.1 was expected to direct concerned competent subordinate authority to act punctually. Whenever any superior authority is added as a respondent, and a grievance is made against subordinates as regards inaction or delay, the superior has a bounden duty to direct the subordinate competent authority to address the aspect without any delay. It ought not and cannot suffice to let the subordinate to address the issue and the superior authority added as party simply ignores the notice of Tribunal.

7. The attitude of keeping the issues pending and then to lose time in defending the OA is to be deprecated. A grievance which is factually and legally justified, requires punctual and suo motu attendance as a goal of good governance.

8. By 18.8.2016, one month and 10 days time was available at the hands of the respondents, yet no decision was taken. Therefore, at least this aspect of delay in taking decision and even failing to prepare to reply needs to be attended by the Commissioner himself.

9. If the Commissioner of Police himself attends to this matter, recurrence of such situation in future can be avoided.

10. It would be necessary to know as to the manner in which the respondents have acted after receipt of notice of this Tribunal. Therefore, the Respondents No.1 to 3 are directed to produce on the next date, original notices received by respective offices in order to demonstrate before this Tribunal to enable the Tribunal to know what action was taken by respondents no.1, 2 and 3 thereon.

11. Law Officer, however, states that officer concerned shall make endeavour to decide the issue involved in this OA within six weeks from today. On the next date entire information as indicated hereinabove should also be produced.

12. It would be highly appreciated if the respondent no.1 issues suitable directions to decide long pending issues generally and at least when such issues are brought before this Tribunal.

13. For compliance of foregoing para nos.10 to 12, S.O. to 17.10.2016.

14. Steno copy and hamdast is allowed. The Ld. PO is directed to communicate this order to the respondents.

(A.H. Joshi, J.)
Chairman
1.9.2016

Dictation taken by: S.G. Jawalkar.
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